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PTO/SB/31 (09-04)

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NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

Rodrig 4-8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on January 19, 2005

Signature

Typed or printed name Vita BencivenniIn re Application of  
B. Rodrig et al.

Application Number

09/653,656

Filed

September 1, 2000

For Policy Enforcing Switch

Art Unit

2663

Examiner

Min Jung

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ \_\_\_\_\_

☐ A check in the amount of the fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0762. I have enclosed a duplicate copy of this sheet.☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)☒ attorney or agent of record.  
Registration number 37,922☐ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

Signature

Joseph B. Ryan

Typed or printed name

(516) 759-7517

Telephone number

January 19, 2005

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Adjustment date: 03/14/2005 SDIRETA1  
01/24/2005 SSITHIB1 00000065 500762 09653656  
01 FC:1401 500.00 CR

03/14/2005 SDIRETA1 00000062 501602 09653656

01 FC:1401 500.00 DA

**RYAN, MASON & LEWIS, LLP**  
**ATTORNEYS AT LAW**  
**90 FOREST AVENUE**  
**LOCUST VALLEY, NEW YORK 11560**  
**Telephone: (516) 759-2722**  
**Facsimile: (516) 759-9512**

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**DATE:** March 9, 2005

**FILE:** Ryan, Mason & Lewis, LLP  
Deposit Account No. 50-0762

Facsimile Message From: **TERESA M. HAMLIN**

Please deliver the following pages to:

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**OF:** U.S. Patent and Trademark Office/Deposit Account Branch

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**NUMBER OF PAGES INCLUDING THIS COVER PAGE:** 2

**COMMENTS/INSTRUCTIONS**

Dear Ms. Sims:

Attached is a copy of page 2 of our January 2005 Monthly Statement of Deposit Account. Please note that the Notice of Appeal filed on January 19, 2005, for Serial No. 09/653,656, inadvertently charged Deposit Account No. 50-0762 the amount of \$500.00. The deposit account that should have been used is 50-1602. Therefore, we would appreciate it if you could refund Deposit Account No. 50-0762 the \$500.00 charge and charge Deposit Account No. 50-1602 the Notice of Appeal fee of \$500.00. Please let me know if you require any additional information. Thank you for your help.

Sincerely,

Teresa M. Hamlin

If you do not receive all of the pages, please call us back as soon as possible at (516) 759-2722.

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MONTHLY STATEMENT  
OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

RYAN, MASON & LEWIS, LLP  
TERESA M HAMLIN  
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Account No.	500762
Date	1-31-05
Page	2

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1	25	05	52	E-REPLENISHMENT		9203	✓ -3500.00	26047.00
1	25	05	167	10977881	12-14-47-30	1051	✓ 130.00	25917.00
1	26	05	4	10378096	60/528,171	8007	✓ 60.00	25857.00
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1	28	05	41	10918223	4-14-47	1001	✓ 790.00	29437.00
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AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT					OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE

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Rodrig 4-8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): B. Rodrig et al.  
Case: 4-8  
Serial No.: 09/653,656  
Filing Date: September 1, 2000  
Group: 2663  
Examiner: Min Jung

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Signature: 	Date: January 19, 2005

Title: Policy Enforcing Switch

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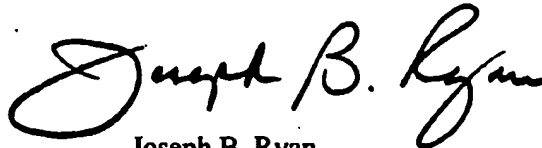
Sir:

Submitted herewith are the following documents relating to the above-identified patent application:

- (1) Response to Final Office Action; and
- (2) Notice of Appeal.

In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit Avaya Inc. Deposit Account No. 50-1602 as required to correct the error. A duplicate copy of the Notice of Appeal is enclosed.

Respectfully submitted,



Date: January 19, 2005

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Reg. No. 37,922  
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